

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

SERGIO L. SHAW,

Plaintiff,

v.

Case No. 08-C-311

GREEN BAY CORRECTIONAL OFFICER FISHER,

Defendant,

DECISION AND ORDER

Plaintiff, Sergio L. Shaw, who is incarcerated at Columbia Correctional Institution, filed this pro se civil rights complaint under 42 U.S.C. § 1983, and by Order of July 11, 2008 was permitted to proceed on his Eighth Amendment claims of excessive force and deliberate indifference to medical needs. On October 22, 2008, defendant renewed his motion to dismiss. Plaintiff's response was due within 30 days. See Civil Local Rule 56.2 and Order of October 21, 2008. Currently before me is plaintiff's November 24, 2008, request for an extension of time.

In his request, plaintiff states that he requires additional time to obtain affidavits, but he does not explain how much additional time he requires, from whom he is seeking affidavits, or why he was unable to obtain the affidavits earlier. Nonetheless, defendant has not objected to plaintiff's request for an extension and I will grant an extension for a reasonable period of time.

For the foregoing reasons,

IT IS THEREFORE ORDERED that plaintiff's request for an extension (Docket #23) is **GRANTED**. Plaintiff must file his response to defendant's motion to dismiss **no later than January 6, 2009**.

Dated at Milwaukee, Wisconsin, this 9 day of December, 2008.

/s _____
LYNN ADELMAN
District Judge